

Appl. No. : 10/787,063
Filed : February 25, 2004

REMARKS

Claims 1 through 22 stand rejected. By this paper, Claims 1, 10, 19, and 21-22 have been amended. Thus, Claims 1 through 22 are presented for reconsideration and further examination in view of the following amendments and remarks.

Interview Summary

Applicant would like to thank the Examiner for taking the time to discuss the outstanding Office Action in a telephonic interview with counsel for Applicant on March 14, 2006. During the interview, a proposed amendment to Claim 1 was discussed. Applicant's counsel proposed an amendment to Claim 1 to further define the sealing surface element in view of the exhaust manifold in Matsumoto et al. having an inner wall adjacent to the sealing grooves 55, 56, 57.

Claim Rejections under 35 U.S.C. § 103(a) over Matsumoto et al. in view of Coff et al.

Independent Claims 1, 10, 19, and 21-22 were rejected under 35 U.S.C. § 103(a) as being obvious over Matsumoto et al. (U.S. Patent No. 5,636,515) in view of Coff et al. (U.S. Patent No. 5,944,322). Applicant has amended Claims 1, 10, 19, and 21-22.

Applicant's Claim 1 is directed to an exhaust header having, among other elements, a recessed sealing surface "configured so as to support therein a gasket in a manner such that at least a portion of the gasket is exposed to gas flowing out the exhaust port." Claim 10 recites, for example, "a recessed seal surface configured so as to support therein a gasket in a manner such that at least a portion of the gasket is exposed to gas flowing out the exhaust port." Claim 19 recites, for example, "the sealing surface being configured so as to support therein a gasket in a manner such that at least a portion of the gasket is exposed to gas flowing out the exhaust port." Claim 21 recites, for example, "a recessed seal surface configured so as to support therein a gasket in a manner such that at least a portion of the gasket is open to the passageway." Claim 22 recites, for example, "wherein the recessed sealing surface is configured so as to support therein a gasket in a manner such that at least a portion of the gasket is exposed to gas flowing out the exhaust port."

The Matsumoto et al. reference fails to disclose, inter alia, this structure. Matsumoto et al. is directed to an exhaust manifold having an inner wall located between the sealing grooves 55, 56, 57 and the exhaust gases passing through the flange 32. (See Figures 15 and 16).

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Accordingly, Matsumoto et al. does not teach or suggest the structure recited by amended Claims 1, 10, 19, and 21-22. The applied prior art of record does not cure this deficiency in Matsumoto et al. Therefore, Applicant respectfully submits that the rejection of Claims 1, 10, 19, and 21-22 as being obvious over Matsumoto et al. in view of Coff et al. have been overcome.

Dependent Claims 2-9, 11-18, and 20 depend directly or indirectly from one of Claims 1, 10, 19 and, thus, are patentable for at least the same reasons that support the allowance of the claim from which they depend. Therefore, allowance of Claims 1-22 is respectfully requested.

CONCLUSION

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims. Accordingly, early issuance of a Notice of Allowance is most earnestly solicited.


Any remarks in support of patentability of one claim should not be imputed to any other claim, even if similar terminology is used. Any remarks referring to only a portion of a claim should not be understood to base patentability on solely that portion; rather, patentability must rest on each claim taken as a whole. Applicants have not presented arguments concerning whether the applied references can be properly combined in view of the clearly missing elements noted above, and Applicants reserve the right to later contest whether a proper motivation and suggestion exists to combine these references.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicants' attorney in order to resolve such issue promptly.

Respectfully submitted,

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